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UNIVERSAL OR PARTICULAR ... OR BOTH? THE RIGHT TO FREEDOM OF RELIGION OR BELIEF IN CROSS-CULTURAL PERSPECTIVE

By Christoph Grüll and Erin K. Wilson 

The right to freedom of religion or belief (FoRB) is a topic of increasing concern and debate in academia, in public, and in international policy. This is evident from the growing number of national, inter-governmental, and civil society initiatives focused on promoting awareness of FoRB.¹ Attention to the right to FoRB has been present in international human rights instruments at least since the Universal Declaration of Human Rights (UDHR) in 1948, if not earlier. This attention was further cemented with the creation of the UN Special Rapporteur on religious intolerance in 1986 (subsequently made the Special Rapporteur on Freedom of Religion or Belief in 2000). However, the recent surge of efforts that focus explicitly, primarily, and sometimes exclusively on FoRB were all arguably precipitated in some sense by the introduction of the International Religious Freedom Act in the United States in 1998. There have also been a number of scholarly publications on FoRB in recent years. Some of these publications uphold the idea of FoRB as a universal right that must be promoted and protected worldwide (e.g. Hertzke 2012), while others are critical of the idea of

FoRB when it is based on a category that is as fluid and unstable as “religion” (e.g. Sullivan 2005; Hurd 2015).

This disagreement highlights a key point of contention within both scholarly and policy debates on the right to FoRB, that is, whether there exists any such thing as a universally recognized right to FoRB. Two elements are crucial to this disagreement:

- (1) The different understandings of “religion” that are involved—whether

Abstract: The right to Freedom of Religion or Belief (FoRB) is a focus of increasing concern in academia and policy. A key disagreement is whether a universally recognized right to FoRB actually exists. This article explores this disagreement by considering global, universalist narratives and local, context-specific application of FoRB in India and Indonesia. We argue that the language of FoRB is not universal, but across different cultures, concepts and practices exist—such as honoring the traditions of others and living together in harmony—that are consistent with FoRB. Rather than insist on the language of FoRB, international actors should focus on these already existing practices.

Keywords: Freedom of Religion or Belief, Human Rights, Indonesia, India

religion is clearly identifiable and distinguishable from other human activities, deserving of its own right and protection of that right, or whether “religion” is essentially a problematic and contested idea which makes the promotion and protection of a right to FoRB, along with the protection of religious minorities more generally, highly problematic;

- (2) The contested nature of the language of “rights” in multiple contexts, including tensions between individual and collective rights, particularly on an issue such as “religion.”

This article engages these debates through a consideration of both global, universalist narratives and local, context-specific application of the right to FoRB. Utilizing a mixed methods approach, the paper suggests that to an extent both perspectives outlined above have merit, but with multiple caveats. The central argument of this paper is that the *language* of FoRB is not universal. Nonetheless, concepts, philosophies, and embodied practices of honoring the traditions of others and living together in harmony and peace exist across different cultural contexts. These concepts and practices are consistent with what in the US, Canada, and Europe might be phrased as “the right to freedom of religion or belief,” but they are articulated and pursued in language and frames consistent with local history, culture, politics, and ways of life. Further, “religion,” “rights,” and “FoRB” are not static ideas. These concepts and their associated values and practices are constantly interpreted, reinterpreted, and adapted to particular times and places (Schonthal 2015). This does not, however, necessarily undermine the overall goal of upholding the dignity and equality of all human beings. It is essential to find ways of incorporating this rich diversity of languages, cultures, histories, and practices, relevant to specific contexts, in research and policy on FoRB, but also on human rights more generally.

We pursue this argument in three stages. First, we engage the main views at stake in recent debates over whether FoRB is “universal” or

“(im)possible” amongst scholars and practitioners, including outlining core assumptions about “religion” and “rights” that often sit at the heart of these debates, particularly in Euro-American contexts. Second, the paper discusses perspectives on FoRB in Gujarat, India and Cirebon, Indonesia, drawing on ethnographic fieldwork in both contexts. Despite the socio-political, cultural, economic, and religious differences in each context, three key findings emerge from across the two sites:

- (1) The interpretation and adaptation of FoRB relevant to the local context, including adaptations around “religion” and “rights”;
- (2) The incorporation of local language, wisdom, and practices in programs aiming to promote respect for the right to FoRB; and
- (3) The importance of direct encounters amongst people across socio-political divides and of building relationships of trust.

Finally, we consider the implications of this study for scholarship and policy on FoRB, outlining possible directions, principles, and strategies to guide future research and policymaking. In particular, we suggest that rather than insisting on the explicit articulation and recognition of FoRB, international actors should endeavor to understand already existing practices that, whilst not using the language of FoRB, nonetheless pursue a similar goal of encouraging respect, understanding, and appreciation for the beliefs and practices of others.

Method and Caveats

The ethnographic research in Gujarat and Cirebon relied on participant observation and semi-structured interviews for data collection. Researchers spent three months in each location. In total, 165 people were interviewed across 91 individual and group interviews. People interviewed included local NGO staff and community organizations running programs on FoRB and local residents participating in the programs.

It is important to stress the limitations of this research. The project was conducted in two locations. While the findings provide important insights on translation and interaction across multiple levels of politics (local, national, international, governmental, global civil society, and local civil society), the methods and approaches utilized are specific to Gujarat and Cirebon. Context is crucial and so researchers and policymakers must be careful not to overly generalize the projects and strategies that were effective in these locations to other locations. Nonetheless, common themes did emerge across the two sites. As such, we suggest that there may be approaches and principles that could potentially be applied in other contexts, even if the way they are implemented needs to be quite different. This finding, however, requires further research for confirmation.

Further, not only the geographic context but also the audience context matters. In each location, there were some groups of actors for whom the language of rights and of FoRB was not problematic. Indeed, many activists consider human rights a crucial tool for pursuing the equality and dignity of all human beings. Our intention is not to deny or ignore the importance of human rights in pursuing that goal. For other actors in each location, however, the language of rights and of religion was a significant barrier to cooperation and engagement on working together and living together in harmony. At the same time, it is important to stress that we are not arguing for a cultural relativist perspective. We are not suggesting that human rights language be dispensed with. Neither do we seek to glorify or romanticize “local” indigenous language and practices, fully aware of the ways in which such romanticization can justify the continuation of human rights abuses. Rather, we posit that there are times and places where human rights are most effective, and times and places where other concepts and practices could be more effectively engaged with in order to promote human dignity. Context sensitivity is not the same thing as cultural relativism. What we are advocating is an approach, first and foremost, of mutual learning, cooperation, and humility in the

pursuit of upholding and honoring the equality and dignity of all.

FoRB: Inalienable Universal Right or Impossibility?

Debate over FoRB has intensified in academic and policy circles in recent years. This intensification is partially a response to increasing attention for FoRB by government departments, particularly the perceived increase in what some scholars refer to as “American-style” religious freedom influencing global policy and NGO agendas (Hurd 2015). While multiple positions, perspectives, and approaches exist on the question of the right to FoRB, these tend to fall somewhere along a spectrum between those who believe FoRB is a universal inalienable right that should be upheld and protected at all times and in all places (Grim and Finke 2011; Hertzke 2012; Philpott 2013; Philpott and Shah 2016, 383) and those who view the right to FoRB as “impossible,” for multiple reasons (Sullivan 2005; Hurd 2015; Mahmood and Danchin 2014; Mahmood 2016). As a shorthand, we shall refer to these two positions as “defenders” and “critics” of the right to FoRB, bearing in mind that these are the dominant views and multiple others also exist. The disagreements between defenders and critics seem to rest on three interrelated issues:

- (1) The question of how to define and understand “religion or belief”;
- (2) The concept of “rights”; and
- (3) The application of both “religion” and “rights” to individuals and/or communities.

The most fundamental difference between the various approaches and arguably the one from which the other disagreements stem is the question of how to define and understand “religion.” Two main views exist amongst scholars and practitioners on this issue. The first view is that “religion” can be clearly identified and defined. While it may not be possible to have a universally applicable and agreed on definition of religion, we “know it when we see it” and, as a result, it is possible to defend the right to FoRB. The question of how to define “religion” is rarely

discussed by scholars and activists who hold this view; rather they take for granted that when they use the term “religion,” people will understand what they mean.

Conversely, it is precisely the difficulty of arriving at a universally agreed upon definition of religion that critics of FoRB point to as evidence of the problematic nature of the right to FoRB. “Religion,” they highlight, is a fluid, relatively modern concept – a product of the Enlightenment and the emergence of secular ways of thinking that established “religion” as something that can be neatly and cleanly distinguished from other realms of human activity (Asad 2003; Sullivan 2005; Wilson 2012, 2017; Hurd 2015). The idea of “religion” embodied in the right to FoRB, they argue, also emphasizes the individual and cognitive aspects of belief, a highly Westernized, Christian (arguably Protestant) way of conceptualizing religion that does not necessarily resonate across other contexts. The lack of a universally agreed upon definition of “religion” means that in legal cases involving potential violations of FoRB, it is often the personal view of the judges regarding what “religion” is and what “essential” religious practice is that can determine how a case is decided (Sullivan 2005; Berger 2007; Beaman 2013). The highly subjective nature of FoRB, then, leaves it open to abuse and manipulation by different actors in practice, however noble the intention of the right in theory may be. This distinction between the *principle* and the *practice* of FoRB is also a crucial point of difference between defenders and critics of FoRB (Philpott and Shah 2016), or as Schonthal (2015, 150) puts it, the “separation of aspired-to ideals from degenerate realities.” Defenders of the right to FoRB argue that the principle remains valid even when practice falls short of the ideal. Critics, on the other hand, argue that it is the principle itself, in the way that it is expressed and conceptualized, which contributes to failings in practice.

A second point of contention is the language of rights themselves and the widely contested view of the legitimacy of human rights as universal norms or as a specific historic and cultural construct of the “West,” imposed by European and North American powers on

unwilling populations in the Global South. The critiques of the concept of “religion” and of “rights” clearly overlap here. Scholars have written *ad infinitum* on the question of whether human rights are a product of the modern West or a fusion of influences from multiple different cultures, philosophical and ethical traditions from across time and space (see, e.g. Ishay 2008; Adami 2012; Donnelly 2013). The disagreement over the philosophical and cultural origins of contemporary human rights also surfaces in political discourses, used as a justification for resisting or rejecting the implementation of certain rights in particular countries, most often concerning the rights of girls and women, the rights of LGBTQI persons, the right to freedom of expression, and the right to FoRB.

A third important point of disagreement concerns the tension between individual and communal rights, a disagreement that affects all rights, not just FoRB. In the context of FoRB, however, this tension is exacerbated by competing understandings of the concept of religion. In European and North American contexts, “religion or belief” is often understood in an internal, cognitive sense, as the right of an individual to choose to believe or not in a particular set of doctrinal principles or creeds. Yet this rather cognitive understanding of “religion or belief” is not always consistent with concepts, understandings and practices of “religion” in areas outside the “West.” Amongst some communities in India and Indonesia, for example, “religion” is frequently understood as communal identity, as belonging to a particular group. This belonging may be based on family, culture, birth, and upbringing rather than an (optional) intellectual decision to believe or not. In such contexts, an individual may have multiple “religious” affiliations, in the sense that they may be culturally “Muslim,” for example, but their individual beliefs may be atheist or Christian (Mahmood 2016). This adds significant complication to understandings and applications of the right to FoRB.

A significant dimension of international discourses and disagreements around FoRB is the transatlantic distinction in the language and conceptualization of this right. In the United

States, the right is often expressed as the right to “religious freedom” or “religious liberty,” whereas Canada, European countries, and the European Union in particular have been careful to express the right as the right to “freedom of religion or belief.” Important historical antecedents contribute to understanding this distinction in language. The so-called religious wars in Europe and the narrative of the founding of the United States by people fleeing religious persecution in Europe seeking to establish a “new world” that would be a shining example of religious pluralism and tolerance to the old world are significant (Cherry 1998). The specter of religious violence and intolerance so influenced the establishment of modern states in Europe, so the story goes, that the principle of the right to freedom of religion or belief is understood implicitly as freedom *from* religion or belief in the European context (Asch 1997; Mavelli 2011). In the United States, by contrast, the right became conceptualized in the positive sense as freedom *to* believe whatever one wished. Both narratives are obviously flawed. The so-called wars of religion in Europe were less about doctrinal disagreements (evidenced by alliances between Catholic and Protestant states during the conflict) and more about the struggle between ecclesiastical and monarchical authorities for control over territory and resources (Asch 1997; Mavelli 2011; Wilson 2012). In the United States, the new colony was not as tolerant of divergent beliefs as it is often remembered to be (Cherry 1998). Nonetheless, these narratives play a powerful role in different assumptions and discourses around the right to FoRB in the contemporary transatlantic political landscape.

Some actors within global politics have also seen the language of “religious freedom” in the United States and as part of US foreign policy as “Christianity by stealth” (Castelli 2007). This is an important reason why European actors have sought to distance themselves somewhat from “religious freedom” and instead adopt “FoRB.” It is also important to highlight that the right to FoRB as expressed in Article 18 of the Universal Declaration of Human Rights encompasses not just religion, but also freedom of thought and conscience. As such, this right arguably encompasses not just “religious” beliefs, but

political and philosophical beliefs and values. The shorthand of “religious freedom” or even “religion or belief” may at times obscure this distinction. The language of the right is, however, broad, vague, and open to interpretation.

These distinctions between “religious freedom” and “freedom of religion or belief,” as important as they are in the transatlantic context, are often obscured in broader global political conversations around the right to FoRB. The implication is that, whether using “religious freedom” or “FoRB,” the connotation is the same for many actors external to the transatlantic context. It is also significant that the recent surge in attention for FoRB by Western powers has formed part of a wider package of policy initiatives under the label of “countering violent extremism” (CVE), with FoRB presented as something of an antidote to conflict and violent extremism (e.g. Grim and Finke 2011; Henne, Hudgins, and Shah 2012), whereas Mandaville and Nozell (2017) note that CVE has the potential to proscribe certain kinds of beliefs and practices and consequently restrict individual rights to FoRB. The vast majority of CVE initiatives are directed towards Muslim populations within Western contexts and towards Muslim-majority countries. As such, the renewed interest in FoRB as part of this swathe of policies is viewed with suspicion by some governments and civil society actors. This does not mean, however, that these actors are hostile to the value of respecting diversity and difference that sits at the core of FoRB, as we indicate in our discussion of the Indian and Indonesian cases.

It must also be noted that differences in FoRB in the transatlantic Euro-American context are not limited merely to language and conceptualization. There are also significant differences in how the right to FoRB is applied in policy, law, and practice across both North America and Europe. Different states within Europe also apply the right differently, with different laws regarding religious establishment and individual religious practice from country to country. It must also be acknowledged that different religions are treated differently under these laws. Different rulings concerning the right to FoRB by the European Court of Human

Rights in cases concerning Christian versus Muslim symbols make this difference in treatment abundantly clear (see, e.g. *Dahlab v Switzerland* (2001) as opposed to *Lautsi and others v Italy* (2011); see also Beaman 2013). There is a tendency to speak about Europe and North America in homogenous and holistic terms, particularly when it comes to the right to FoRB (perhaps especially amongst defenders of FoRB). Yet it may arguably be more productive and indeed more accurate to tease out and make explicit the differences and tensions that exist within the so-called West on this issue.²

There are two key points to draw from these differences in the scholarly and political conversations around FoRB. Firstly, these disagreements are unlikely to ever be resolved. In a sense, it does not matter how definitively one can “prove” the origin of human rights as a singular product of the West or a plural product from across multiple cultures. The disagreements persist for largely political and ideological reasons. Rather, we propose a pragmatic approach that acknowledges and is sensitive to the differing perspectives on FoRB across different levels of politics and society in different cultures and contexts. For multiple civil society organizations in countries such as Egypt, Indonesia, India, and Uganda, to name a few, human rights are an indispensable tool in the promotion and protection of individual liberty, dignity, and equality. For indigenous populations, the concept of human rights may indeed be perceived as the influence of foreign powers, yet the values inherent in the idea of human rights resonate, only through different concepts and language. It is important to respond to those varying perspectives, avoiding generalizations, focusing on the specificities of context and to be sensitive to those perspectives in research, policymaking, and project design and implementation.

The second and related point is the centrality of context for scholarly engagement and policy development on the right to FoRB. FoRB has different connotations depending on the audience and the location. Whether the language of FoRB is effective for achieving the broader goal of equality and dignity for all human beings needs to be assessed relative to the political, cultural,

environmental, and economic context and also to the specific actors involved. This does not mean, however, that commitments consistent with FoRB are not present in these contexts. Values related to FoRB are articulated in different ways, including: respect for difference and diversity; harmonious living together; and respect, equality, and dignity for all human beings. There is an urgent need for greater attention to these different articulations and practices in the contemporary globally integrated and interconnected political landscape, as we highlight through the discussion of the cases in the next section.

Understandings of Freedom of Religion or Belief in Cirebon, Indonesia, and Gujarat India

The research we present here was undertaken in 2015 in collaboration with Mensen met een Missie (MM), a Dutch faith-based development agency. MM had received funding from the Dutch Ministry of Foreign Affairs to implement programs and projects designed to promote the right to FoRB in cooperation with local partner organizations in Cirebon, Indonesia and Gujarat, India, areas with significant levels of religious diversity amongst the population and where conflict had occurred, directly or indirectly, as a result of intolerance of religious difference. MM had begun working with local partners on the initiatives, but it had already encountered challenges regarding the translation of the right to FoRB in the local context. The local partner organizations were Muslim (Cirebon), Hindu (Gujarat), and interfaith initiatives, which had built up significant levels of trust among different communities through consistent work over many years. These organizations focused on reaching youth and local leaders and creating spaces for encounter amongst people from different religious traditions. Their programs include educational projects and dialogues with the aim of empowerment and enhancing social cohesion and trust.

MM’s intuition was that the right to FoRB as expressed in European contexts and by European funders did not resonate in the contexts in which their partner organizations were operating. In

consultation with two staff members from MM, we developed the research design so as to explore how religious difference and diversity were conceptualized amongst grassroots actors in Cirebon and Gujarat. This required developing questions for the semi-structured interviews that did not explicitly mention FoRB or even “religion” necessarily, since we wanted to avoid pre-empting or directing interlocutors towards the use of particular language that they thought we may want to hear. Participant observation thus became a crucial additional tool, allowing the research team to witness how actors spoke with each other about these issues and participate in informal conversations, which were highly revealing regarding how “religious difference or diversity” was understood and articulated by local actors on the ground.

Below we present key insights that emerged from the research concerning the interplay between Euro-American, national level, and local indigenous level understandings of FoRB. This is by no means exhaustive and there is still much work to be done in this area. While Cirebon and Gujarat are significantly different in terms of context and dynamics, commonalities in approach nonetheless emerged across the work of the different organizations in the different regions. We identify three key themes that characterize the work of the local partner organizations in endeavoring to implement projects to promote the right to FoRB.

“Breaking Down FoRB”: Interpreting and Adapting “FoRB” and “Religion” for Local Contexts

In both Cirebon and Gujarat, staff working with MM’s local partner organizations had to, in their words, “break down” the language around FoRB in order to make it more acceptable and accessible to people in the local environment. In Cirebon particularly, this need to diffuse the language of FoRB arose from both local and global dynamics.

Regarding local dynamics, the language around FoRB is especially sensitive with regard to freedom and pluralism. “For some,” a program facilitator told us, “there is simply too much freedom in religion.” This means that, similar to

the notion of “pluralism,” freedom is often perceived as a blurring of collective and individual identity, a blending of different religions, compromising the “purity” of doctrine, especially in rural areas, village communities, and among local authorities. For this reason, while the local partner organization utilizes the language of FoRB in internal discussions and documents, they deliberately avoid referring to it in their workshops and programs, choosing instead key words such as “tolerance,” “diversity,” and “differences.” These terms are more acceptable in broader social narratives than “freedom” and “pluralism,” which are sometimes seen as “Western” concepts imposed by foreign powers. In this way, as the same program facilitator quoted above emphasized, “the *value* of freedom can be included. In daily life, this can take place by studying together, by discussing different opinions while respecting one another.”

The program takes place in a social environment in which the predominant concern is not actual violent conflict but rather addressing the palpable tensions between groups that may give rise to conflict in the future. Cirebon has more radical Islamic activity than many other areas of Indonesia, which manifests in the increased presence of local branches of groups such as the Islam Defenders Front (FPI) or the Movement Against Illegal Sects and Non-Believers (GAPAS). There are a number of ways in which these groups appear and act in public, from concrete threats against Ahmadiyya communities, the forced closure of churches, to protests against liquor stores, and insistence on what they conceive of as “proper” Islamic practice in relation to women’s clothing or the opening hours of restaurants during Ramadan. As such, there is strong emphasis on potential risks of radicalization and countering violent extremism (CVE), often linked to global discourses around radical Islam and the war on terror. These global dynamics around radicalization and CVE, with FoRB seen as a key strategy in CVE (as noted above), contribute to reinforcing perceptions of FoRB as bound up with Western exercises of power. Many local communities are thus skeptical of the language of FoRB when introduced into

their environment. As one of our interlocutors stated: “Sadly, incidents in other parts of Indonesia and foreign influences increase the risk of violence although people are actually peaceful.” This interviewee is a member of a small local Shia community and has become an active participant in local projects, engaging with his Sunni neighbors after years of alienation from and conflicts with them. He continued: “Some things can only be done internationally, here in our neighborhoods we can work towards better understanding of one another.” Local partners utilize alternative concepts and narratives that relate more to tolerance, diversity, and difference in general, rather than religion explicitly.

This is not to say that religion is not important, but it is not the only or primary point of difference or tension in the communities. As a staff member in Cirebon pointed out, there is a “lack of sensitivity to the needs of

people. Religion is often being used to cover up, for example, economic and social issues.” Hence, local partners are careful to address other sources of tension and difference that are bound up with religion. Rather than insisting on the language of FoRB, their initiatives aim at the promotion of tolerance and to engage with the actual needs of people.

In Gujarat, local partners did not, as they termed it, “use religion directly” in their communication with the local community. Program facilitators and NGO employees of the Alliance for Peace and Justice (APJ), a local network of MM’s partner organizations, preferred to ask about “local issues”—which were identified as problems regarding corrupt government officials and the subsequent lack of schools, roads, sanitation, and employment in specific “areas.” This avoidance of religion is partly due to fears of biased state actors skeptical of NGO work related to religion and especially religious minorities. Yet it is also connected to the view of local organizations and community members that the root cause of conflicts is not religion, but rather the absence of specific infrastructure and services.

People have been deprived of these because of their religious belonging and identity, not necessarily their religious “beliefs.” This suggests that what is being violated is not the right to FoRB *per se* but rather the right to freedom from discrimination, as expressed under Article 2 of the UDHR.³ Religious identity is not considered specifically different from other forms of identity like caste or tribe.

“Belief” is not the operative word, for the participants or the staff members, even when discussion revolves around religious communities. Religion is a taken-for-granted community identity. Communities and not individuals are the focal group. The program

replicates the language of the Indian Constitution, using terms that simultaneously denote community identity and deprivation—religious minorities (Muslims and Christians), Scheduled Castes, Other Backward Castes and Scheduled Tribes

(which is also not without its problems).⁴ The work regarding FoRB is not directly concerned with individual freedom of religion or belief, but neither is it about collective freedom to believe or practice religion. Religion, as a category, is a social marker to identify disadvantaged communities. It could be replaced with other markers of social identities. Religion is invoked not concerning belief but as a site of discriminated identity. This raises the question about whether FoRB is the most effective framework to be engaging in rights education, advocacy, and promotion in this context, or whether other rights such as freedom of expression, freedom of assembly, or even alternative language such as freedom of conscience, might be more appropriate.

Very rarely, participants spoke about differences in belief systems or opinions as a reason for conflicts between religious communities. Difference in practices was mentioned several times but the most common reasons stated for religious conflict were “political manipulation” and greed. Addressing conflict and tension by focusing specifically on religious differences may

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not address the key causes of existing tensions, and it raises the possibility that such efforts may reinforce or exacerbate identity differences between groups and thus the grounds on which discrimination and inequality exist. As such, any efforts to address concerns around FoRB, diversity, tolerance, and pluralism must take into account a broader range of issues, including economic inequality, strengthening governance, and citizenship advocacy and participation.

Local Language, Wisdom, and Practices as Alternative Frameworks

Especially in Cirebon, but also in Gujarat, utilizing local language, wisdom, and practices as part of the projects at the grassroots was a crucial element in their success. The program run by local partner organization Fahmina, called Setaman, or “School for Love and Peace,” focuses on diversity and tolerance, promoting a narrative in which the Indonesian state ideology of Pancasila⁵ and the national slogan of Unity in Diversity are the dominant frame of reference. Diversity and tolerance are part of national Indonesian identity, taught in programs during primary and secondary school. “Diversity” and “tolerance” are the frames of choice because of the problematic connotations that may be associated with other words such as “freedom” and “pluralism,” noted above. Tolerance is understood as a category of active behavior, often included into considerations about the Indonesian state and that national welfare is dependent on “togetherness” and “strength in unity.” The differences across which “togetherness” is to be strengthened are manifold, including religion but also ethnicities, languages, and opinions. In Cirebon, ethnic differences mainly include Javanese and Sundanese people. Religious differences include different Islamic traditions (Sunni, Shia, Ahmadiyya), Christian traditions, Buddhism, Hinduism, Confucianism, and indigenous and tribal religions. Consequently, Fahmina addresses both inter- and intra-religious differences.

The significance of intra-religious differences is at times overlooked in international policy discussions on religion and diplomacy in general, and the right to FoRB in particular. Yet intra-religious conflict can be more problematic and

disruptive than inter-religious conflict.⁶ Conflicts in Cirebon, for example, are more likely to revolve around differences in intra-faith dynamics than between different religions. Although some more radical groups also act against Christian communities, the most significant tensions occur between Sunni, Shia, and Ahmadi Muslims. Political and legal discrimination rests on tensions fueled by radical groups, creating an atmosphere in which the acceptance of smaller Islamic communities as part of Islam becomes a political dispute.

Local wisdom and practices provide ways of relating to others that are accepted across different traditions and offer possibilities for conflict prevention and transformation. These local perspectives supplement and in some cases transcend global human rights discourses. For example, “human rights” is viewed as a highly complicated and often problematic concept and discourse within local Indonesian contexts and communities. For one of Fahmina’s staff who also completed Fahmina’s own study program, “human rights are about fully becoming human, being good and useful to yourself and others.” Similarly, a young program facilitator spoke of the importance of focusing on behaviors and practices rather than spending too much time and energy on defining, explaining, and educating on “human rights” as such. For her, “they are about respect for the other. Any definition seems to me to be a limitation to this, while it is something you cannot and must not limit.”

Local wisdom and practices play a central role in integrating these ideas into daily life. Two examples encountered in Indonesia are Silaturahmi and Ngaji Rasa. Deeply embedded in everyday life, these concepts involve both the self and the other. Silaturahmi encompasses practices of direct encounter, literally meaning “gathering.” These gatherings take place in private places that (normally) provide space for encounters designed to establish and maintain good relations with and knowledge about friends, family, and neighbors. Fahmina experienced a number of instances showing that Silaturahmi can be an effective means to overcome social, religious, and political divides. It involves duties for both guests and hosts and is an essential part of Indonesian

everyday life. In contrast, Ngaji Rasa is less obvious and less well known than Silaturahmi. Nonetheless, it is a valuable element of local wisdom, emphasizing empathy and self-reflexivity. Interlocutors described it as “walking in someone else’s shoes” or “I am you, you are me”; learning about and understanding others’ and one’s own conditions of life, feelings, and thoughts, which demands sensitivity towards others, to one’s own experiences, and the environment.

In Gujarat, NGO staff officially used the language of assertion of rights. However, in discussions with several Muslim participants, as well as in informal discussions with the staff, the idea recurred that assertion of rights is not the solution to the problems in Gujarat as it misunderstands the source of conflict. Instead, many Muslims said that it is the duty of Muslims to not respond to discrimination with hostility, but try to show *akhlaq*, which interlocutors explained to us as a sort of unbounded love. Ways in which *akhlaq* and the assertion of rights may complement one another is an area that still needs to be developed and researched further.

The Centrality of Relationships and Direct Encounters

In both Cirebon and Gujarat, staff at MM’s partner organizations emphasized the need for people to meet and build relationships with one another in safe settings. In Cirebon, Fahmina follows a strategy in which people from different backgrounds are brought together so that they can “hang out” and get to know each other, often in different houses of worship. Hanging out with each other in a relaxed environment is more effective than having discussions about religion according to some of the program facilitators. In Gujarat, APJ employ a similar strategy, whereby people from different religious communities are brought together to work collaboratively on a shared project, one that is not focused on religion. Rather, their projects center on shared concerns, including adequate access to food, water, sanitation, healthcare, and education. The underlying strategy is that differences between religious communities will be addressed more effectively by not focusing explicitly on religion,

which can emphasize and reinforce differences and thus potentially exacerbate tensions. Local staff saw no need to talk specifically about encouraging diversity or plurality since intolerance towards diversity or plurality is not in their view the root of the problems. The focus is to make people aware of “discrimination” towards minority communities, which can occur on the basis of multiple identity markers, not only religion. Encouraging people to respect other religions or communities does not, in APJ’s view, require any argument apart from drawing attention to the other’s discomfort. Making people “sensitive” is making people pay attention to problems and wrongs around them and work towards addressing these, instead of ignoring them and going on with their own lives. Accordingly, making people sensitive towards FoRB is making people aware of discrimination based on religion. Many local respondents said the problem was not about religion but people with power favoring “their own people.” When asked what “own people” meant, respondents said that it means the people they generally know and “have relations with,” not necessarily distinguished along religious or community lines. The idea of “relations” comes up many times in different contexts. In some way, APJ is also trying to “make relations” with different stakeholders. This idea of “relations” is a sort of loose personal connection based on *uthna-baithna* (literally—getting up-sitting down) or hanging out.

The research conducted for this project is limited in a number of ways. It focused on two culturally, politically, ethnically, and economically distinct contexts. Within those environments, we looked only at specific projects run by small local community partner organizations. As such, the insights gained are limited to the specific people, places, and projects involved. Nonetheless, it is interesting that similar themes and approaches emerged in both sites, though applied in contextually sensitive and unique ways. This finding provides support for insights from other scholars writing on FoRB and human rights more generally, suggesting that while the language of human rights as expressed in the UDHR is not universal, the values themselves nonetheless resonate with principles

that exist across a diverse range of philosophical, cultural, religious, and political traditions and contexts (e.g. An-Na'im 2000; Wilson 2010; Chan 2011; Adami 2012; Arifin 2012). The emergence of common themes suggests that there may be broader lessons to be drawn, not only for work on the right to FoRB, but also for work on human rights more generally and in domestic politics and civil society in Western contexts. At the same time, it is important to remember that "human rights," "freedom of religion or belief," "freedom," "religion," and specific religious traditions are not static. They are constantly interpreted and reinterpreted. These processes of interpretation and reinterpretation are affected by context (Schonthal 2015) and contribute to the emergence of differences and tensions in how FoRB and human rights are expressed, implemented and resisted. This further reinforces the need to take a broad range of factors into account in any work on FoRB.

Conclusions and Recommendations

To conclude, we highlight a number of recommendations in relation to the three key points of contention outlined above: "religion," "rights," and balancing individual and collective aspirations in promoting human rights.

- (1) *Religion and identity*: The Cirebon and Gujarat examples show that religion is at times more about identity than about individual belief and worship practices. It is thus necessary to recognize that understandings of "religion" are fluid, incorporating communal identity as well as personal belief. Policy-making in cross-cultural contexts needs to pay attention to this fluidity. Otherwise, policies may contribute to exacerbating rather than easing tensions on the ground. Further, intra-religious tension and violations of the right to FoRB can be just as, if not more, significant when considering the potential for violent conflict, as was the case in Cirebon. Greater attention to intra-religious dynamics needs to be brought into research, policy, and practice regarding FoRB.

- (2) *Language of rights*: Interlocutors in Gujarat and Cirebon suggested that conflicts and tensions that are portrayed as religious in local, national, and international media may have more to do with material differences and inequalities than religion. In some cases, it is not the right to FoRB that is violated, but a matter of discrimination and the deprivation of other rights on the basis of religious identity. Promoting FoRB in these contexts may not address the key issues at stake. The interdependence of FoRB with other human rights needs to be taken seriously at all levels. International advocacy and development work should be based on knowledge about the issues at stake in local contexts as well as international debates. This includes critical self-reflection on the interplay between global political discourses and foreign policy and the impact of these dynamics in local contexts. The language of human rights is not free from these influences. Despite these complications, human rights promotion can open new windows for cross-cultural dialogues. For this, we recommend future research examine different contexts to identify successful practices and include policy, NGO work, and broader civil society.
- (3) *Human rights as individual and collective*: Advocating FoRB as an individual right that includes the decision not to have a religion is not always compatible and, indeed, can directly conflict with local dynamics. The case studies in this article demonstrate that, where collective identities are strong, the language of rights is reinterpreted in light of strong communal attachments. Rather than strengthening individual perceptions of rights vis-à-vis state and community, human rights become an issue of collective well-being. This entails that human rights can be *both* individual *and* collective at the same time, being subject to creative forms of (re)appropriation. Cross-cultural

engagement with human rights provides valuable learning spaces for practitioners, policy-makers, and academics. Importantly, this is not limited to the field of foreign policy. Rather, collective approaches and more communal understandings of rights and duties can offer crucial insight into societal well-being in more individualistic societies. Instead of continually utilizing a rights-based language, with specific understandings of religion as individual and a matter of choice, policymakers (and the media) could introduce aspects of local language into these broader global discourses, emphasizing

interdependence (“I am you, you are me,” for example), rather than individuality. The process of “breaking down the language of FoRB” could offer new opportunities to link advocacy work and local dynamics, as well as be incorporated into broader policy conversations. This insight has relevance not only for foreign policy work on FoRB, but also for community cohesion and integration in Euro-American contexts welcoming new migrants and refugees from non-European and non-American backgrounds and should be adopted and implemented in contextually sensitive ways. ♦

1. These include, but are by no means limited to, the International Panel of Parliamentarians for Freedom of Religion or Belief, established in 2014, the Ruddock inquiry on religious freedom in Australia established in 2018, the establishment of the Religious Freedom and Business Foundation in 2014, the UK All Party Parliamentary Group on Freedom of Religion or Belief, established in June 2012 (Berridge 2015) and the European Union’s Guidelines on the Promotion and Protection of Freedom of Religion or Belief from 2013.
2. Thanks to Elizabeth Promodrou for highlighting this important point at the May 2018 CiFoRB symposium in Boston.
3. We are grateful to Steven Fisher for helping us to draw out this observation.
4. Castes and tribes listed for special treatment by state authorities are historically disadvantaged groups. Promoting political representation and enabling affirmative action are the main objectives. This directly relates to the question of how FoRB interlinks with the idea of collective rights as avenues for state intervention.
5. Menchik (2014, 598) notes that Pancasila is the ‘basis of Indonesian national ideology’, comprising 5 core principles: ‘belief in God, humanitarianism, national unity, social justice, and democracy’.
6. See also the essay by Ahmed Garba in this symposium on this point.

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